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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,120	11/18/2003	Eiji Suzuki	045237-0123	2751
22428	7590	06/29/2005	EXAMINER	
FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			CARIASO, ALAN B	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/715,120

Applicant(s)

SUZUKI, EIJI

Examiner

Alan Cariaso

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20031118</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 3-8 are rejected under 35 U.S.C. 102(b) as being anticipated by YOKOI (US 2001/0010634 A1).
4. YOKOI discloses a headlamp comprising: a light source (18,18a, fig.1), a shade (22) that forms a light distribution pattern for a low beam when the shade is in a low beam position (col.3, paragraph 0047) and light distribution pattern for a high beam when the shade is in a high beam position (col.3, paragraph 0047) with a light from the light source (18,18a), a solenoid (34) that shifts the shade (22) from the low beam position to the high beam position (fig.2), a stopper mechanism (22Bb,32 or 52 or 62 or 72, figs.2,4-11b) that stops the shade (22) from the low beam position (figs.6a,8a,9a,10a,11a) to the high beam position (figs.6b,8b,9b,10b,11b), and a spring (38) that shifts back the shade (22) from the high position to the low beam position (col.3, paragraph 0048); wherein the stopper mechanism (22Bb,62, figs.10a,10b)

comprises a plurality of protruding-portions (22Bb3,22Bb4,22Bb2) provided on a part (22B) of the shade (22); and a stopper (62,fig.10) including a plurality of protrusions (1s1,1s2,1s3,2s1,2s2,2s3, fig.10b) abutting against corresponding protruding-portions (22Bb3,22Bb4) when the shade is shifted to either of the low beam position (fig.10a) and the high position (fig.10b); wherein the protruding portions (22Bb3,22Bb4,22Bb2) include abutting surfaces having an angle with respect to a longitudinal direction (figs.8a,8b) of the solenoid (34), and each of the protrusions (1s1,1s2,1s3,2s1,2s2,2s3, fig.10b) are provided in parallel with corresponding abutting surfaces (figs.10a,10b); wherein the stopper (62) has an elasticity at least in the protrusions (col.5, paragraph 0080); wherein the stopper mechanism (62, figs.10a,10b) includes two protruding-portions (22Bb3,22Bb4) with at least four abutting surfaces (1s1,1s2,1s3,2s1,2s2,2s3, fig.10a); wherein the stopper (62) includes four protrusions (1s1,1s2,1s3,2s1,2s2,2s3, fig.10b); wherein the solenoid (34) is a pull-type solenoid (fig.6b, col.4, paragraph 0061).

5. Claims 1, 2 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by LACHMAYER et al (US 5,899,559).

6. LACHMAYER discloses a headlamp comprising: a light source (2, fig.1), a shade (4) that forms a light distribution pattern for a low beam when the shade is in a low beam position and light distribution pattern for a high beam when the shade is in a high beam position (col.3, lines 25-35) with a light from the light source (2), a solenoid (6, col.3, lines 53-59) that shifts the shade (4) from the low beam position to the high beam position (col.3, lines 57-61), a stopper mechanism (35,19, fig.7) that stops the shade (4)

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from the low beam position to the high beam position (col.4, lines 61-65), and a spring (17) that shifts back the shade (4) from the high position to the low beam position; wherein the spring (17) is a cone-shaped coil spring (fig.7); wherein the solenoid is a pull-type solenoid (fig.6).


Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. SHIRAI et al (US 4,951,178) shows a sliding shade (4) supported by protruding part (56) axially guided on a guiding means (64,59) and stopper (61). KUSAGAYA et al (US 6,425,683) show shades (32,132) angularly movable between low and high beam positions by a solenoid and positioned by resilient stoppers (38,138).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan Cariaso whose telephone number is (571) 272-2366. The examiner can normally be reached on 9-5:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alan Cariaso
Primary Examiner
Art Unit 2875

June 26, 2005
AC